

STATE OF ILLINOIS
ILLINOIS COMMERCE COMMISSION

ORIGINAL

WISCONSIN CENTRAL LTD.,

Petitioner,

vs.

ILLINOIS DEPARTMENT OF TRANSPORTATION,

Respondent.

Petition of Wisconsin Central Ltd. seeking an order of the Illinois Commerce Commission directing that an additional track and grade crossing be constructed at STH 120 – Belvidere Road (DOT 689 719E) on the Wisconsin Central Ltd. in Lake County, Illinois.

RECEIVED
JUL 13 2004

Illinois Commerce Commission
RAIL SAFETY SECTION

DOCKET NO. T04-0004

MOTION TO HOLD OPEN THE RECORD

Now comes Petitioner, Wisconsin Central Ltd. ("WCL"), and moves the Illinois Commerce Commission (the "Commission") for an order to hold open the record in this docket for additional time.

In support of its Motion, WCL states as follows:

1. This matter has already been heard by the Administrative Law Judge.
2. The matter was continued so that WCL could submit revised plans.
3. WCL has submitted revised plans.
4. WCL has received no formal objection to the revised plans from Commission Staff or IDOT.
5. WCL would like an opportunity to address any concerns that IDOT and Commission Staff may have prior to any hearing taking place and perhaps avoiding any further hearing.
6. Therefore, WCL is requesting that the Commission cancel the hearing set for July 13, 2004, in this proceeding and hold open the record until July 30, 2004, in this matter. WCL will, in that time, ensure that its revised plans meet with no objection.

DOCKETED

JUL 14 2004

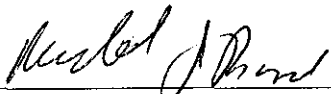
7. If no objection is forthcoming, WCL shall, after July 30, submit a request that the Commission mark the record heard and taken in this matter and issue an order.

WHEREFORE, Wisconsin Central Ltd. respectfully requests that the Commission:

- a. Cancel the hearing set for July 13, 2004, in this matter;
- b. Hold the record open until July 30, 2004, so that Wisconsin Central Ltd. can determine if there are any objections to the revised plans it submitted in this docket; and
- c. Provide such other and further relief as the Commission deems just and appropriate.

Dated at Homewood, Illinois this 12th day of July, 2004.

WISCONSIN CENTRAL LTD.

By 

Michael J. Barron, Jr.
Counsel for Wisconsin Central Ltd.
CN
17641 S. Ashland Avenue
Homewood, IL 60430
Phone: (708) 332-3954
Fax: (708) 332-4361
michael.barron@cn.ca
ARDC #6228809

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NOTICE OF FILING

Ms Stacey Hollo
Counsel
Illinois Department of Transportation
2300 S. Dirksen Parkway, Room 300
Springfield, IL 62764

PLEASE TAKE NOTICE that we have this 12th day of July, 2004, sent for filing with the Illinois Commerce Commission, Wisconsin Central Ltd.'s motion to hold open the record in the above-referenced matter, a copy of which is hereby served upon you.

WISCONSIN CENTRAL LTD.

By Michael J. Barron, Jr.
Michael J. Barron, Jr.
Counsel for Wisconsin Central Ltd.
CN
17641 S. Ashland Avenue
Homewood, IL 60430
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CERTIFICATE OF SERVICE

I, MICHAEL J. BARRON, JR., an attorney, certify that on behalf of Wisconsin Central Ltd., I served the foregoing Motion of Wisconsin Central Ltd. upon those made a party to this proceeding by fax and by enclosing copies of the foregoing in an envelope addressed to the party as set forth below, postage prepaid, and depositing the envelope in the United States Mail at 17641 S. Ashland Avenue, Homewood, IL on the 12th day of July, 2004.



Michael J. Barron, Jr.

Ms. Stacey Hollo
Counsel
Illinois Department of Transportation
2300 S. Dirksen Parkway, Room 300
Springfield, IL 62764